

### REMARKS/ARGUMENTS

Claims 1 through 9 are pending in this application. Claims 1 through 6 and 9 were rejected by the Office Action that was mailed on January 13, 2004 (Action) under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,989,140 to Ichikawa et al. (Ichikawa et al.). Claims 7 and 8 are rejected by the Action under 35 U.S.C. §103(a) as obvious over Ichikawa et al. in view of U.S. Patent No. 271,723 to Aydelott. Reconsideration of those rejections in view of this response to the Action is respectfully requested.

Two independent claims are pending in this application, claims 1 and 5. Claim 1 requires links that

form a surface that extends along the chain direction of the links a distance that approximates the distance from a center of a member joining the link to one adjacent row of links to a center of a member joining the link to another adjacent row of links, overlies the sprocket protrusions and **contacts said low profile protrusions along at least the majority of the length of the surface for driving contact with the low profile protrusions.**

(Emphasis added.) Claim 5 requires links that define

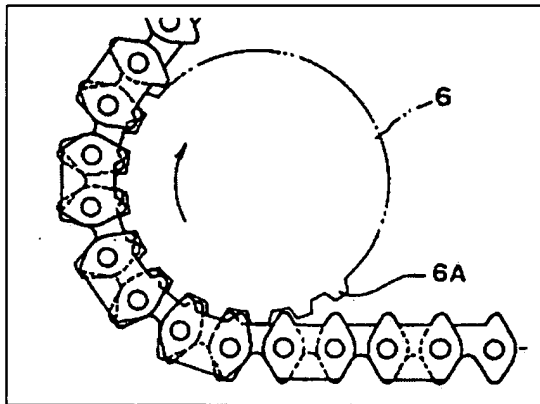
a back-side surface that contacts a portion of the back-side sprocket along at least the majority of a distance substantially equal to a length of the link plates along the chain direction.

At paragraph 2 of the Action, the examiner states that Ichikawa et al. discloses a chain having a surface that defines two teeth, that the surface overlies and contacts sprocket protrusions, and that the sides of the teeth meet the protrusion. The Action does not state that the link surface, even including the teeth as stated by the Action, contacts the protrusion on the sprocket along a majority of the length of the surface as required by claim 1 or a distance that is substantially the length of the link as required by claim 5. Because the Action does not state that Ichikawa et al. discloses a chain that meets those claim requirements, the rejection

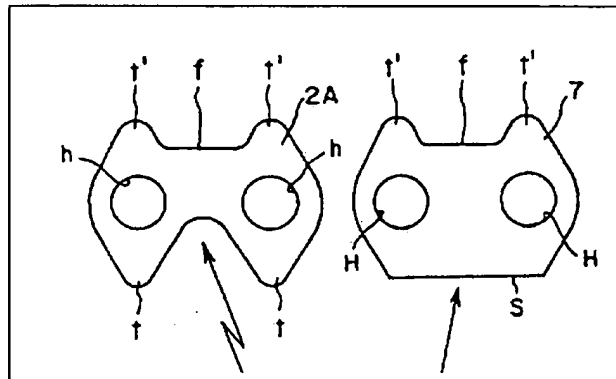
does not establish that Ichikawa et al. discloses the claimed invention. See MPEP

§706.02(a). Ichikawa et al. does not disclose a chain that meets those requirements.

Ichikawa et al. discloses a chain that engages a sprocket 6 having teeth with arcuate tops 6A. Fig. 1 (excerpt reproduced below), col. 4 lines 24 – 33. Links (articular train plates 2A and guide plates 7) have a flat surface f that contacts that arcuate tops 6A. Fig. 3 (excerpt reproduced below), col. 4, lines 24-33.



Ichikawa et al. Fig. 1 Excerpt



Ichikawa et al. Fig. 3 Excerpt

Ichikawa et al. makes clear that the sub-teeth t' engage the teeth of sprocket 6. Col. 2, lines 54 – 58. However, Ichikawa et al. does not state that the sub-teeth t' contact the same tooth that forms the arcuate surface 6A that contacts the surface f between the sub-teeth t'. Fig. 1 makes clear that the sub-teeth t' do not contact the tooth that supports the train plate 2A or guide plate 7. Rather, outside surfaces of sub-teeth t', that is surfaces opposite the surface f, contact teeth of sprocket 6 that are adjacent to the tooth that supports the train plate or guide plate. Therefore, even assuming that the surface f and adjacent sub-teeth t' of the train plates and guide plates of Ichikawa et al. can properly be considered a surface, Ichikawa et al. does not disclose contact with a supporting tooth other than a flat surface f contacting an arcuate

top 6A. That contact is not along a majority of the surface as required by claim 1 and is not a majority of a distance substantially equal to a length of the link plate as required by claim 5. Reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

Claims 7 and 8 were rejected under 35 U.S.C. §103(a) over Ichikawa et al. in view of Aydelott. Reconsideration and withdrawal of that rejection is requested for the same reason that reconsideration and withdrawal of the rejections of claims 1 through 6 and 9 is requested. Additionally, The Action states that “Aydelott disclose a sprocket with generally flat sprocket surfaces that extend from the sprocket near the first and second ends (see Fig 3).”

Respectfully, Aydelott does not show a sprocket having flat surfaces in any way similar to those shown by Fig. 5 of the application. Rather, Aydelott discloses a polygonal shaped sprocket having cogs (teeth) along its sides. Lines 54-63, Fig. 3. Those surfaces are not generally flat along a distance that is approximately the length of the back-side surface of the link as required by claim 7.

Appl. No. 09/840,434

FIRST RESPONSE TO FINAL ACTION – REQUEST FOR RECONSIDERATION

Reply to Office Action of January 13, 2004

### CONCLUSION

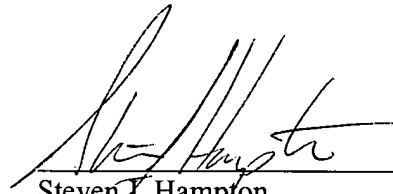
For the reasons stated above, reconsideration and withdrawal of the rejections of all claims are respectfully requested.

Please charge any additional fees or credit overpayment to the deposit account of  
McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

DATE: March 15, 2004

By:

  
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